

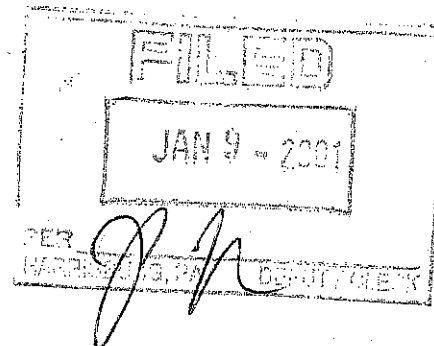
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
JUDGE'S COPY

JOHN RICHARD STAG

Plaintiff,
vs.

DR. ROBERT CLARK,
MARTIN L. DRAGONICH,
JOHN A. PALAKOVICH,
ROBERT M. NOLOTTNER,
MICHAEL S. KAZOR and
JOHN ANDRADE,
Defendants.

CR-71 No. 1-CL-00-104
U.S. District Judge R.
Magistrate Judge Smyser



PLAINTIFF'S EXHIBITS TO BRIEF IN OPPOSITION TO CORRECTED
DEFENDANTS' MOTION TO REVOKE PLAINTIFFS IN FORMA PAUPER
STATUS AND TO DEFER FILING OF RESPONSIVE PLEADING
PLAINTIFF'S AMENDED COMPLAINT

EXHIBIT 1 AFFIDAVIT IN SUPPORT OF PLAINTIFF'S BRIEF IN
OPPOSITION TO CORRECTED DEFENDANTS' MOTION TO RE
PLAINTIFFS IN FORMA PAUPER'S STATUS AND
DEFER FILING OF RESPONSIVE PLEADING TO PLAINTIFF'S
AMENDED COMPLAINT

EXHIBIT 2 RELEVANT PORTIONS OF PLAINTIFFS CRIMINAL
SENTENCE HEARING TRANSCRIPTS OF OCTOBER
1991, BEFORE THE HON. JOSEPH H. RIDGE, JUDGE ALLEGH
COUNTY COURT OF COMMON PLEAS, CRIMINAL DIVISION
CC No. 9013134

RESPECTFULLY SUBMITTED

(S)

MR. JOHN RICHARD STAG,
#BQ-3219

Dated: 30th DECEMBER 2000

501 Greene Ave
175 Progress Drive
Waynesburg, PA 15370
Phone: 724-261-1234 and 724-261-1235

~~IN THE UNITED STATES DISTRICT COURT~~
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION

JOHN RICHARD JAE,
Plaintiff,

vs.

Civil No. 1:00-CV-00-10
U.S. District Judge R.
Magistrate Judge S.

DR. ROBERT CLARK,
MARTIN L. DRAGOVICH,
JOHN A. PALAKOVICH,
ROBERT N. NOVOTNEY, MICHAEL
SKAZOR and JOHN ANDRADE,
Defendants.

AFFIDAVIT IN SUPPORT OF PLAINTIFFS BRIEF
IN OPPOSITION TO DEFENDANTS' MOTIONS TO REVOKE
PLAINTIFFS IN FORMA PAUPERIS STATUS AND TO
DEFER FILING OF RESPONSIVE PLEADING TO PLAINTIFFS
AMENDED COMPLAINT

JOHN RICHARD JAE, hereby declares & swears
under penalty of perjury that:

1. I am the plaintiff & as counsel herein the
above-entitled Civil Rights Action. I make this
sworn Affidavit in support of PLAINTIFFS BRIEF IN
OPPOSITION TO DEFENDANTS' MOTIONS TO REVOKE PLAINTIFFS
IN FORMA PAUPERIS STATUS AND TO DEFER FILING OF RESPONSIVE PLEADING TO PLAINTIFFS
AMENDED COMPLAINT, herein this case.

2. As set forth in the Complaint & Amended Complaint herein this
case, the Defendants, Dr. Robert Clark, Martin L. Dragovich, John A. Palakovich, Robert N. Novotney, Michael Skazor and John Andrade, have

I was placed in steel hand cuffs, a black box and a steel waist chain with a pad lock in my cell in the RHV SCI - Camp Hill and such was done without Defendant Dr. Clark, Chief Psychiatrist, personally first examining and talking to me to verify & determine that it was absolutely necessary to do such to me here.

3. That, Defendant Dr. Robert Clark, Chief Psychiatrist, left me in such steel hand cuffs, Black Box and steel waist chain with a pad lock, without ever seeing, talking or evaluating me at all ^{for} four (4) days, from April 24, 2000, at which date he ordered the above removed from me.

4. That, the initial & continued placement of myself in steel hand cuffs, a Black Box, and a steel waist chain with a pad lock here from April 24, 2000, was done for punitive purposes to punish me for my behavior, such was not the least restrictive measure which could have been used here and such amounted to inhuman treatment.

5. That, as a direct result of my being placed in steel hand cuffs, a Black Box, a steel waist chain and a pad lock by Defendant Dr. Clark, from breakfast on April 26, thru lunch, on April 27, 2000, Plaintiff Jare, was unable to eat normally & had to stick my mouth down in the cuffs and drink and eat/drink it like a dog, which not only was humiliating, but was really difficult to do.

6. That, as a direct result of my being placed and left in steel hand cuffs, a Black Box, a steel waist chain and a pad lock, by Defendant Dr. Clark, from April 24, 2000, I was unable to sleep.

7. That, as a direct result of my being placed & left in Steel Hand Cuffs, a Black Box, a Steel waist chain and a Padlock, by Defendant DR Robert Clark, from April 24, - 27, 2000, I had extreme difficulty urinating and did not use my bowels at all because I could not wipe myself most times wound up peeing all over myself when I did urinate, which was not only humiliating, but very uncomfortable as he had to remain in wet, pissy undershorts also as a direct result of my being placed & left in Steel Hand Cuffs, a Black Box, a Steel waist chain and a pad lock, by Defendant Clark, from April 24, - 27, 2000, I suffered extreme, unrelenting mental and physical pain, anguish and torture to my hands, arms & shoulders & permanent injury by way of scars both of my wrists from the steel hand cuffs and I will be scarred / marked for life from such and I suffered with numbness in my left hand from right below my wrist to the base of my left thumb & such felt dead for over 3 months.

8. That, despite my attempts to take my life on April 23, & 24, 2000, & despite a prior mental health illness relapse back on February 15, 2000, and February 16, 2000, where I rubbed feces all over my face, hair, arms, hands, legs & on his cell wall & told Prison Staff that I was Jesus Christ & that little green men were running a cell & trying to run up my ass & where I was banging my head off of my cell wall then too, Defendant DR. Clark wanted to have me committed to a psychiatric facility for a health commitment & wantonly & deliberately refuses to do so for my mental health I'll need here at all.

9. That, I still hear voices in my head & still have thoughts about killing myself from time to time here since April 27, 2000, and I do believe that the next time I try to kill myself I will do so for certain as I am sick of life.

10. That, I have a long & lengthy past history of serious mental health illness disease and I had been taking different kinds of medication - psychotic medications. 1969, when I was Nine (9) years old up until January 15, 1999, when I was taken off of anti-psychotic medication by Defendant Dr. Clark, here, with the exception of a period of time from April, 1986 - May, 1987, when I was not on any medication at all & I have not been on any anti-psychotic medication here since January 12, 1999, and I want to get help and treatment for my serious mental health illness disease and I have requested such from Defendant Dr. Clark and other Prison Staff here, but I have been denied such help and treatment by Defendant Dr. Clark and Prison Staff here.

11. That, on November 19, 1999, Plaintiff Jae was initially placed in the Restricted Housing Unit (RHU) at SCI-Camp and I have remained on Disciplinary Custody Status in the RHU since November 22, 1999.

12. That, on or about February 17, 2000, February 24, 2000, April 25 & 27, 2000, May 4, 2000, May 31, 2000, & June 5, 2000, Defendant Andrade found me guilty of various Prison misconduct which were a part and a product and a direct result of my serious mental health illness disease and he sanctioned me to Disciplinary Custody Status time in the RHU for such

18. On: June 6, 2000, after I had arrived in the Restrictive Housing Unit ("RHU") at SCI-Waymart, and was given my first interview with the SAV Treatment Team there.

19. On: June 6, 2000, during such same above-referenced interview, the SAV Treatment Team then verbally told & promised this plaintiff that the one thing that was they were "not" going to recommend that I be placed in a ^{prison} Special Management Unit (SMU) due to my plaintiff history of serious mental health illness disease.

20. That, obviously they were "lying" when they stated & promised me the above, as in the end they did recommend such placement.

21. The ~~the~~ Suicide Risk Indicators Checklist For RHU that was done on this plaintiff on 6/6/00 was done by a mere officer, who has no psychiatric/mental health training nor schooling and is/was "not" qualified/competent to so and/or to assess my potential risk of committing suicide and given such, such Suicide Risk Indicators Checklist For RHU SMU, (Corrections Defendants' Exhibit - 2 - of the Appendix B Corrections Defendants' Supplemental Brief In Support of Motion To Revoke Plaintiff's In Forma Pauperis Status And To Defer Filing of Responsive Pleading ~~the~~ Plaintiff's American Complaint, herein) "is" unreliable and thus, by law, must "not" be considered by this Court, herein this case.

22. That, contrary to the mental health records which the Defendants submit in their Appendix B Corrections Defendants' Supplemental Brief In Support of Motion To Revoke Plaintiff's In Forma Pauperis Status And To Defer Filing of Responsive Pleading ~~the~~ Plaintiff's American Complaint, herein) "is" unreliable and thus, by law, must "not" be considered by this Court, herein this case.

Plaintiff's In Forma Pauperis Status And To Defer Filing of Responsive Pleading, herein, plaintiff deposes & submits that, he did not tell the staff in the SAU/RHV at SCT-Waymart that he would be staying here at SCT-Waymart for a long time and would most likely get committed to the Forensic Unit and this "is" out and out deliberate and malicious "lie" by the unqualified and unprofessional "SPC" [REDACTED] psychiatrist in the SAU at SCT-Waymart and/or by the correction staff there. I never said such to anybody at all, and, as such, such unreliable evidence, which plaintiff challenges the veracity/authenticity of, and which this court must not consider.

Furthermore, why would plaintiff seek to be classified as mentally ill by SAU Mental Health Treatment Staff when he had already years ago been classified as such, although he did voice his desire to be transferred to the Intermediate Care Unit at SCT-Waymart, ~~he~~ he did so because he had been told that this could occur by Dr. Ruby, Chief Psychologist and SAU Treatment Team Leader and by his Counselor/Treatment Team Member Mr. Burke at SCT-Waymart and because he did want out of his illegal confinement in the RHV on punitive segregation/DC-Status where by law he is not permitted to be confined due to his significant history of serious mental health illness diseases because he did not want to be subject to further illegal confinement in a Prison's Special Management Unit (SMU).

2. I challenge Dr. Ramon's qualifications as a Psychiatrist in my Brief In Opposition To Defendants' Motion To Revoke Plaintiff's In Forma Pauperis Status And To Defer Filing of Responsive Pleading To Plaintiff's Amended Complaint, submitted with this Affidavit, herein this case.

3. I challenge the authenticity of corrections defendant's Exhibit in

and I do not use (or even like to use) the excuse of having a mental illness as a reason and rationale for my behavior problems which I have exhibited prior to my transfer to SCI Waymart or for the behavior problems which I occurred while I was in the SAU/RHU at SCI-Waymart, as such behavior problems were/are a direct result of & a part of of my ~~gross~~ mental health illness disease and such had already been determined to be true, long ago by psychiatrists (neuropsychiatrists/forensic psychiatrists) who were/are way, way far more qualified than the "nigger" and the "spic" (Defendant Dr Clark and SAU/Waymart's Dr Ramon) that the corrections Defendants use/rely upon, herein this case, and thus corrections Defendants' Exhibits and Evidence and the diagnoses/opinions of Clark and Ramon are "spectacularly frivolous & unreliable" and should not be considered by this Court, herein this case. or at least must be considered with a healthy dose of skepticism as to their believability/validity herein.

23. That Dr Ramon and the SCI-Waymart SAU Treatment Team "did" make their diagnoses and determination that the plaintiff had no gross organic impairment which would account for my numerous misdeeds, numerous assaults prior to incarceration and my behavior without waiting the test results/report to come back from the EEG/Brain Wave Test done on me by the order of Dr Ramon at Waymart and without waiting for the MRI Test which Dr Ramon had ordered done on my head/Brain to be done & for such to come back, and which

3-Cont'd. Brief In Opposition To Defendants' Motions To Revoke Plaintiff's In Forma Pauperis Status And To Defer Filing of Responsive Pleading To Plaintiff's Amended Complaint, herein at

really qualified competent professional ~~psychiatrist~~/mental health professional was I'd ever make such diagnosis / finding of no gross organic impairment without such test results / report completed & reviewed ⁴ and especially not when they were aware that the patient had already previously been determined to have such organic impairment due to a head injury which resulted in minimal brain damage to the patient, as Dr. Ramon and the SAU Treatment Team were aware of with myself as I personally told them about such and such was in my prison mental health records anyhow, and thus, their SAU Treatment Team's diagnosis, determination, Report & Recommendation "was" based on insufficient evidence / information "was" premature / made too early and "is" totally worthless and unreliable herein and ~~Dr. Ramon~~ the SAU Treatment Team are "not" highly trained & qualified mental health professionals at all.

24. On July 18, 2000, Plaintiff Jae was transferred back to SCI-Camp Hill RHU from the RHU/SAU at SCI-Way.

25. On October 24, 2000, I was transferred to the Special Management Unit (SMU) at SCI-Greene ~~SAU~~ of the Report and Recommendation of the SCI-Wayman's Treatment Team.

26. On November 1, 2000, the Psychiatric Treatment Team here at SCI-Greene met and discussed my case. On November 2, 2000, MR. Kiko, (my psychologist here at SCI-Greene who was present at such meeting) told me that such Team had decided that I had been unfairly dumped here and that there would be an attempt made to have me transferred to the Intermediate Care Unit.

⁴ Apparent Dr. Ramon felt that such EEG and MRI tests were important enough for him to order such to be done on me, else why would he bring them up in the first place and especially then?

SCI-Waymart or to some other step down unit, but not of the SMU here.

27. Additionally, and although I did not state such in my Initial nor Amended Complaints, herein this case, back 1966, my father knocked me down a flight of steps in a drunken rage & I struck/hit the back of my head & was knocked unconscious for between 5-10 minutes & as a direct result thereof, I suffered severe & graphic head trauma and I have MBD (Minimal Brain Damage) and back in 1993, I was informed by a consulting Psychiatrist from the University of Pittsburgh's Western Psychiatric Institute And Clinic, DR. Scott Burstein, (a neurologist who had built his practice on treating individuals with psychiatric disorders stemming from neurological damage) & who was one of my treating psychiatrists at the State Correctional Institution At Pittsburgh's Special Needs Unit (LSNU) my acting out physical behavior and my sexual misconduct behavior are a part of and a direct result of such head injury which I suffered back in 1966 and that if such injury had not occurred, that I would not have prob with my physical acting out nor my sexual misconduct behavior & that there is a chemical/neurological impairment / imbalance in my Brain as a direct result of such 1966 head injury and the resulting minimal Brain damage, which is what causes me to do so. Also, it is very strange that only psychiatrist who say I don't have mental illness disorder & am just a behavior problem, are Defendant Dr. Clark and Dr. Raman,

28. Facts that they were all aware that I had a Motion for Temporary Restraining Order and an Expedited Preliminary Injunction for an Order Restraining/Enjoining from sending me to an SMU pending before this Court herein this case, which the

SWHIS what the prison officials want them to say, however, the psychiatrists who have examined me outside of and before I

came to prison, (one of whom was still seeing me in prison back in 1994 & 1995, at SCI Pittsburgh), who are the specialized psychiatrists (i.e., forensic psychiatrists, neuro-psychiatrist) (one of such is also the Director of the Allegheny County Forensic Behavior Clinic and the main psychiatrist for the Allegheny County Court of Common Pleas, Criminal Division, Dr. Christine Martone), all state I will have and suffer from serious mental health illness disease, I will have neurological damage to my brain and that my physical acting out behavior is a part and a product and a direct result of my serious mental health illness disease and it is said specialized psychiatrists who are the real qualified ones, not just mere plain psychiatrists that the prison hires, such as Defendant Dr. Clark and Dr. Ramon (the "big" and the "small" who have got their psychiatry degrees out of a "Cracker Jack" box.

28. At the time of the incidents alleged in my initial complaint, this case was ~~being denied any treatment at all for my serious mental health illness disease, despite two (2) separate recent suicide attempts, and in being confined in the prison's RHU, an DC-States punitive segregation~~ suffering irreparable injury/harm and ~~being denied any treatment at all for my serious mental health illness disease, despite two (2) separate recent suicide attempts, and in being confined in the prison's RHU, an DC-States punitive segregation~~ being denied any treatment at all for my serious mental health illness disease, despite two (2) separate recent suicide attempts, and in being confined in the prison's RHU, an DC-States punitive segregation for illness disease, and under subhuman conditions, such where my prison cell has broken/inadequate plumbing, which causes the toilet/sewage water to come out into the cell on the cell floor, which causes a foul odor in my cell and causes numerous little black flies to fly throughout my cell & land on me and a couple times have even flown up in my mouth and I've gotten physically sick from such, where there is inadequate water, inadequate ventilation/excessive heat, where there is broken showers where cock roaches, mice and other vermin run rampant throughout the cell & up in my cell & it is only a matter of time before I get bit & catch a disease

where I only got linen for my bed, a clean RH jumpsuit to wear (which was usually too small for me and/or had most (if not all) of the buttons missing from it and/or was ripped) and a clean towel, once every few weeks; where there is excessive noise from certain other inmates; where other inmates and prison officers would deliberately maliciously tease, taunt and torment me because of my serious mental health illness disease and my criminal sex offense; where prison officers would mess with my food; where prison officers would threaten me with physical bodily harm and also physically assault me and where I lived in daily fear of being physically assaulted; and where my Pa-State or United States Constitutional Rights and to have "adequate", "meaningful" and "unimpeded" access to the courts/access to my legal materials, to send receive mail, to read books and magazines, to outside exercise and showers and to be free from Subjection to cruel and unusual punishment. Violated on a repetitive and continuous basis & given I have went through it since last November 19, it is a miracle of God that I haven't yet killed myself but I sincerely believe that the next time I will. I am really

29. That, in Sentencing me to my 10-20 yrs Prison Sentence for my crim
 I DSI charges, my Pa. State Court Criminal case sentencing Judge, the Hon.
 A. Ridge of the Allegheny County Court of Common Pleas, Criminal Division, stated the follow

11 The Court will, for what it's worth, recommend
 that you serve your term of confinement at the
 Fairview State Hospital, but the problem there is that
 is at best a recommendation. The responsibility for
 determining the place of confinement is left
 with the Department of Corrections. I do however
 feel that they will at least have the benefit of
 knowing how the Court feels about it. It is an adequate
 institution for those people who formally were
 described as criminally insane but is for people who
 suffer from mental health problems who have
 committed crimes against society for which they have been convicted. " 6/

30. That the Pa. Dept. of Corrections has never considered nor complied with the req

31. That, once a person has a mental health illness disease
 and/or a Head Injury / minimal Brain Damage, such does not go away
 always remains & this has been confirmed to me by corrective
 Defendant's own SCI-Camp Hill Director of Psychology / Chief
 psychologist, MR. Klebe, when I verbally asked & questioned him about such on Oct
 2000.

32. That on September 28, 2000, while I was thru my boxes of legal materials in the law library a cell
 the RHU at SCI-Camp Hill, SCI-Camp Hill RHU officer Rager discovered a
 25 Naprosyn & Benedryl Medication / pills, which I had hidden in my legal papers
 in my cell property, and which I was saving up to take on an overdose of & kill myself with.

33. That, on November 29, 2000, my SCI-Greene SMU counselor,

MR. Harris & I were talking at my cell, when unprompted MR. Harris stated I do not belong in it.

34. That my Psychologist there has told me that every one here on the RPT is stupid
 (w) HEREFORE, based upon the above & foregoing, herein, on

upon that stated & set forth in Plaintiff's Initial & Amended

6/ See Plaintiff's Exhibit - B - of his Appendix to his Brief in
 Opposition to Defendant's motion to Revoke Plaintiff's In Forma Pauperis

Complaints and In Plaintiff's Brief In Opposition
 corrections Defendants' Motion To Revoke Plaintiff's
 In Forma Pauperis Status And To Defer Filing Of Response
 Pleading To Plaintiff's Amended Complaint herein this
 Plaintiff was "under imminent danger of serious physical injury"
 at the time of the incident(s) alleged in Plaintiff's
 Initial Complaint, as he was "suicidal" & thus the Plaintiff
 In Forma Pauperis Status should not be revoked herein this

Signed this 30th day of December, 2000, under pen
 of perjury & pursuant to 28 U.S.C. § 1746 that such is
 true & correct =

RESPECTFULLY SUBMITTED =

(S) John Richard Jae
 MR. JOHN RICHARD JAE,
 #BQ-3219
 SCI - Greene/SMU
 175 Progress Drive
 Waynesburg, PA. 15370
 Plaintiff and Pro Se Counsel

Dated/Executed on =

30th December 2000 =

At = Waynesburg, Pennsylvania =

BY MR. BARRETT:

Q Would you state your name for the record, please.

A My name is Christine Martone. I'm a Physician
licensed to practice in the State of Pennsylvania.
I'm a board certified psychiatrist, and I am Director
of the Allegheny County Behavior Clinic.

Q And how long have you been so employed as a
physician?

A I've been with the Behavior Clinic since 1977. I've
been Director since 1986.

Q And with regard to your licensing as a physician
just in general, when were you first licensed as a
physician?

MR. MERRICK: We'll stipulate to
her expertise.

MR. BARRETT: Is that agreeable to
the Court?

THE COURT: Yes.

MR. BARRETT: I know she is well
familiar to both this Court and counsel.

THE COURT: Yes.

BY MR. BARRETT:

Q Dr. Martone, in your professional capacity with the
Behavior Clinic and with the Allegheny County Jail,

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2 did you have an opportunity to come in contact with
3 the Defendant in this action, Mr. John Jae?

4 A Mr. John Jae is well known to me. I've been in con-
5 tact with him many times over the years.

6 Q And that's not only with regard to this action but
7 also prior actions; is that correct?

8 A That's correct.

9 Q Have you had an opportunity to evaluate or to test
10 Mr. Jae to determine what, if any, emotional or
11 psychological difficulties he may be experiencing?

12 A He has been evaluated not only by me, but by various
13 hospitals that he has been sent to.

14 Q Have you had an opportunity with regard to the
15 various other hospitals to review the various
16 diagnoses or summaries of treatments and evaluations
17 that they have prepared and submitted?

18 A Yes, I have.

19 Q And have these been, in fact, returned to the
20 Allegheny County Jail at the request of your office?

21 A Yes.

22 Q Based upon your review of that medical evidence,
23 together with your own examination of the Defendant,
24 can you, within a reasonable degree of medical
25 certainty, offer an opinion to this Court as to any

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diagnoses that the individual may have concerning his condition?

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A The most consistent diagnosis that John carries is narcissistic personality disorder with explosive seizures.

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Q I will have to admit my ignorance to the psychological diagnosis you just offered. Would you give an indication of the characteristics of such a diagnosis?

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A A personality disorder is not someone who is out of contact with reality. It is more a style of dealing with life, in fact, a mal-adaptive style of dealing with life. These people have difficulty forming meaningful relationships. They tend to view everything in black and white terms, all good or all bad, all positive or all negative. A slight disappointment is tantamount to rejection. They tend to call attention to themselves, constantly seeking approval from others in order to bolster their own very weak self concept. Furthermore, they have a sense of entitlement, things that are coming to them.

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The explosive features speak to temper outbursts that occur periodically with these individuals with a poor frustration tolerance.

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2 Q Now with regard to the diagnosis you just offered,
3 especially the explosive nature, when you are talk-
4 ing about that, that does not necessarily mean, I
5 assume, that the explosive would be aggressive or
6 involve physical actions to another individual; it
7 can be verbal; is that correct?

8 A It can be either.

9 Q Now with regard to the diagnosis you have indicated,
10 are there any other secondary diagnoses that you are
11 aware of?

12 A I don't have the full record with me. There have
13 been many that have been postulated, but at this
14 point no other has been consistently put forward and
15 proven.

16 Q With regard to an individual that has such a
17 diagnosis, can that individual be most adequately
18 addressed with regard to his needs in a correctional
19 environment?

20 A Nobody can be adequately addressed in a correctional
21 environment. I think it would be a little easier
22 if I could speak specifically about John. In an
23 individual such as John --

24 Q I would appreciate that.

25 A He would have a very difficult time in an institution

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2 setting, particularly one of incarceration. I think
3 this has been proven by his record. He really just
4 gets transferred back and forth from the disciplinary
5 housing unit to the mental housing unit. I don't
6 think he ever maintains any time in general popu-
7 lation. He's easily stimulated and provoked, and
8 he often gets hurt because he becomes then very
9 provocative to others.

10 Q Would the individual perhaps be better treated in
11 a medical environment where he could receive treat-
12 ment and counseling with regard to his condition?

13 A That is one of the difficulties. There really is no
14 treatment for John. I mean, I don't know that there
15 is anything that's really going to improve his
16 situation. Certainly he's been in many institutions
17 and he has not improved. The only thing I can say
18 is that he has a very difficult time in jail, in
19 the incarceration situation.

20 Q With regard to management situations, would it be
21 better to manage his condition in a medical environ-
22 ment as opposed to a correctional environment?

23 A You know, it really depends. He has had difficult
24 times at the State hospitals also. You know, this
25 is something that wax and wanes.

1
2 Q With regard to the individual, if he were sentenced
3 to a period of incarceration in a correctional
4 facility, would his behavior place him at a greater
5 risk or jeopardy of injury with regard to the other
6 individuals inside that prison population?

7 A Oh, yes. Absolutely. He is at risk of being hurt
8 by others, guards as well as inmates, because of his
9 inability to control his own behavior.

10 Q And in essence if he went to a correctional facility
11 essentially he would have to be in almost solitary
12 confinement, from what you're telling me, to avoid
13 the possibility of any injury?

14 A At the jail we do not have him in solitary con-
15 finement. They manage him by either placing him
16 in the disciplinary housing unit, which is individual
17 cells, or in the mental health unit, which is again
18 individual cells. I don't know if he's ever made
19 it to the select housing unit. The FHU.

20 He has. That's a situation of individual
21 cells.

22 It's when he is in the general population that
23 he has the greatest difficulty.

24 Q Now with regard to the individual or any individual,
25 whether it's Mr. Jae or someone else, would you have

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2 this County to take you to the State
3 Correctional Institution at Pittsburgh for
4 purposes of classification and assignment.
5 Now, that classification process takes
6 approximately 8 weeks by my best infor-
7 mation. They will, of course, be aware
8 of your mental status, your problems there
9 The Court will, for what its worth,
10 recommend that you serve your term of
11 confinement at the Farview State Hospital,
12 but the problem there is that that is at
13 best a recommendation. The responsibility
14 for determining the place of confinement
15 is left with the Department of Corrections
16 I do, however, feel that they will at
17 least have that benefit from knowing how
18 the Court feels about it. It's an adequate
19 institution for those people who formerly
20 were described as criminally insane but
21 is for people who suffer from mental
22 health problems who have committed crimes
23 against society for which they have been
24 convicted.

25 Now, that's your sentence. Do you